

1 CHIEF JUDGE RICARDO S. MARTINEZ  
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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 UNITED STATES OF AMERICA, ) No. CR20-170RSM  
9 Plaintiff, ) (PROPOSED) ORDER GRANTING  
10 v. ) UNOPPOSED MOTION TO  
11 JONSHE L. GILBERT, ) CONTINUE TRIAL AND EXTEND  
12 Defendant. ) PRETRIAL MOTIONS DEADLINE

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13 THE COURT has considered the stipulated motion of the parties to continue the  
14 trial date and pretrial motions deadline and finds that:

15 (a) taking into account the exercise of due diligence, a failure to grant a  
16 continuance in this case would deny counsel for the defendant the reasonable time  
17 necessary for effective preparation due to counsel's need for more time to review and  
18 synthesize discovery, conduct investigation, perform legal research, draft motions, and  
19 consult with and advise Mr. Gilbert. The Court notes that current conditions due to the  
20 COVID-19 pandemic render each of the above-listed tasks more time-consuming. 18  
21 U.S.C. § 3161(h)(7)(B)(iv); and

22 (b) a failure to grant such a continuance in this proceeding would likely result in  
23 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

24 (c) the additional time requested is a reasonable period of delay, as the defendant  
25 has requested more time to prepare for trial, to investigate the matter, to gather evidence  
26 material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of  
2 justice outweigh the best interests of the public and the defendant in any speedier trial,  
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of December 28,  
5 2020 and the new trial date is necessary to provide counsel for the defendant the  
6 reasonable time necessary to prepare for trial, considering counsel's schedule and all of  
7 the facts set forth above; and

8 (f) the period of delay from the date of this order to the new trial date is  
9 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

10 IT IS THEREFORE ORDERED that the trial date in this matter shall be  
11 continued to March 29, 2021, and that pretrial motions shall be filed no later than  
12 March 4, 2021.

13 DONE this 15<sup>th</sup> day of December, 2020.

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16 RICARDO S. MARTINEZ  
17 CHIEF UNITED STATES DISTRICT  
18 JUDGE

19 Presented by:

20 s/ *Vanessa Pai-Thompson*  
21 Assistant Federal Public Defender  
22 Attorney for Jonshe Gilbert